

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ANTONIO L. FREEMAN,)
)
Plaintiff,) Case No. 3:11-cv-00867
) Consolidated with:
V.) Case No. 3:11-cv-01094
)
DEE DAVID GAY, et al,) Judge Sharp
) Magistrate Judge Holmes
Defendants.)
)
)

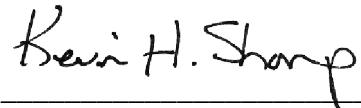
ORDER

Plaintiff Antonio Freeman filed this 42 U.S.C. § 1983 action against numerous individuals based on events that occurred between 2008 and 2011. Pursuant to its September 28, 2012 Order, (Docket No. 157), adopting a Report and Recommendation (“R & R”), (Docket No. 120), this Court dismissed almost all of Plaintiff’s claims. The claims that survived were 1) those against Defendants James Stinson and Gregory Washburn for allegedly having wrongfully arrested and used excessive force on Plaintiff and 2) those against Defendant Jack Babbitt for allegedly having discriminated against and used excessive force on Plaintiff. Defendants then filed Motions for Summary Judgement. (Docket Nos. 255, 258). Defendants also filed, *inter alia*, supporting Memoranda of Law and Statements of Undisputed Facts. (Docket Nos. 256-57, 259-64). Plaintiff did not respond to Defendants’ Motions for Summary Judgment or Statements of Undisputed Facts. Instead, after the response deadline, Plaintiff filed a Motion for an Order Compelling Discovery, (Docket No. 273), seeking relief under Rule 56(d) of the Federal Rules of Civil Procedure (“Fed. R. Civ. P.”). Magistrate Judge Holmes denied Plaintiff’s motion. (Docket No. 275).

Magistrate Judge Holmes has issued an R & R, (Docket No. 281), in which she recommends that Defendants' motions be granted. Plaintiff has filed no objections even though the Court advised him that he needed to file any objections within fourteen days of service. Having considered the matter as required by Fed. R. Civ. P. 72, the Court agrees with the recommended disposition.

Hence the R & R, (Docket No. 281), is hereby ACCEPTED and APPROVED and Defendants' Motions for Summary Judgment, (Docket Nos. 255, 258), are GRANTED. The consolidated actions are hereby DISMISSED WITH PREJUDICE, and the Clerk is directed to close the files. This Order shall constitute the final judgment in this case pursuant to Fed. R. Civ. P. 58.

It is SO ORDERED.



KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE